

FIREFIGHTER II MOD C

Protecting Evidence for Cause and Determination

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2-20 PROTECTING EVIDENCE FOR CAUSE AND DETERMINATION

- 2-20.1** Identify the three factors that can cause a fire. (4-3.4)
- 2-20.2** Identify the responsibilities of the firefighter in relation to cause and determination. (4-3.4)
- 2-20.3** Identify the role of the fire investigator. (4-3.4)
- 2-20.4** Identify observations the firefighter should make, while responding and working on a fire scene, in relation to cause and determination. (3-3.7, 3-3.12)
- 2-20.5** Identify the firefighter's responsibility, after a fire, in relation to cause and determination. (3-3.7, 3-3.12)
- 2-20.6** Identify the firefighter's role in obtaining statements at the fire scene. (4-3.4)
- 2-20.7** Identify the procedures for securing a fire scene. (3-3.13, 4-3.4)
- 2-20.8** Identify the legal considerations, at the fire scene, in relation to cause and determination. (4-3.4)
- 2-20.9** Identify the procedures for protecting and preserving evidence. (3-3.13)

References

IFSTA Essentials, 4th ed., Chapter 17

Delmar, Firefighter's Handbook, copyright 2000, Chapter 20

Jones & Bartlett, Fundamentals of Fire Fighting Skills, 1st ed., Chapter 37

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- I. Identify the three factors that can cause a fire. **2-20.1 (4-3.4)**
 - A. Fuel that ignited
 - B. Form and source of the heat of ignition
 - C. Act or omission that helped to bring these two factors together
- II. Identify the responsibilities of the firefighter in relation to cause and determination. **2-20.2 (4-3.4)**
 - A. Recognize and collect information by observing the fire and it's behavior
 - 1. During the response
 - 2. Upon arrival
 - 3. When entering the structure
 - 4. While locating the fire
 - 5. While extinguishing the fire
 - 6. During overhaul efforts
- III. Identify the role of the fire investigator. **2-20.3 (4-3.4)**
 - A. Collection and preservation of evidence
 - B. Analyzing evidence to determine the exact cause
- IV. Identify observations the firefighter should make, while responding and working on a fire scene, in relation to cause and determination. **2-20.4 (3-3.7, 3-3.12)**
 - A. Note anything that could point to the origin and cause or any actions taken that could affect determining the origin and cause
 - 1. While en route to the fire, note the following:
 - a. Time of day
 - 1) Are people dressed appropriately?
 - 2) Should the building be occupied?

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- b. Weather conditions and/or natural hazards
 - 1) Hot, cold, stormy
 - 2) Heavy snow, flooding, fog
 - 3) Hot outside, furnace running
 - 4) Cold outside, windows open
 - 5) Man-made barriers or obstructions
 - 6) Vehicles blocking access, hydrants, FDC, etc.
 - 7) Dumpsters, fallen trees, etc. blocking streets
 - c. People leaving the scene
 - 1) Vehicle type, color, license plate
 - 2) Clothing
 - 3) Physical description
2. Upon arrival on the scene, note the following:
- a. Extent of fire and time of arrival
 - 1) Try to determine fire growth from time is reported until time of arrival, if caller is present
 - 2) Location(s) of smoke and flame
 - 3) Has flashover occurred?
 - 4) Has it self-ventilated?
 - 5) How? Vertical or Horizontal?
 - b. Wind direction and speed
 - 1) May have effect on fire spread and path of travel
 - 2) May mislead investigation
 - c. Doors and windows
 - 1) Locked or unlocked?
 - 2) Signs of forcible entry
 - 3) Covered over on the inside
 - d. Location of fire
 - 1) Single location
 - 2) Multiple, unconnected locations
 - 3) Will help pinpoint origin

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- e. Containers or cans
 - 1) Found in unusual place inside or outside
 - 2) Could have contained accelerants
 - f. Tools that could have been used for a burglary
 - 1) Pry bars, large screwdrivers, etc.
 - 2) Found in unusual locations
 - 3) Familiar faces in crowd
 - 4) Person that shows up at most fires
 - 5) May come forward to offer help or information
3. Note the following observations while fighting the fire:
- a. Unusual odors
 - 1) May smell as approaching the area
 - 2) While wearing SCBA, will not smell
 - b. Abnormal fire behavior/response to water application
 - 1) Flashbacks
 - 2) Re-ignition
 - 3) Number of rekindles in the same area
 - 4) Fire intensifies or spreads
 - c. Obstacles to firefighting activities
 - 1) Furniture or other obstructions in doorways or hallways
 - 2) Doors blocked or tied shut
 - 3) Holes cut in floor
 - d. Incendiary devices
 - 1) Candles
 - 2) Wires or strings hanging from ceiling
 - 3) Trip wires
 - 4) Broken bottles or containers
 - 5) Parts of timers or electrical devices

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- e. Trailers
 - 1) Combustible materials, rolled and laid end to end from room to room
 - a) Papers
 - b) Rags
 - c) Blankets
 - d) Flammable/combustible liquid
 - 2) Spreads fire from one point to another
 - 3) Can be indicated by burn or char pattern
- f. Structural alterations
 - 1) Holes cut in walls, ceilings, floors
 - 2) Fire doors blocked open
 - 3) Elevator hoist-way doors blocked open on multiple floors
- g. Fire patterns
 - 1) Movement
 - 2) Intensity
 - 3) Irregular burning
 - 4) Locally heavy charring
- h. Heat intensity
 - 1) Varying degrees of heat intensity in same room or area
- i. Documents
 - 1) Immediate availability of insurance policy, deeds, inventory lists
- j. Alarm (fire and/or intrusion) and suppression systems
 - 1) Tampering with either system
 - 2) System damaged or shut off

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- k. Location of fire vs. ignition sources
 - 1) Closet
 - 2) Dresser or file cabinet drawer
 - 3) Bathtub
 - 4) Center of a floor
 - 5) Center of a bed
 - l. Personal possessions
 - 1) Little or no clothing in closets
 - 2) Minimal or no furniture
 - 3) No food or dishes
 - 4) Lack of family photos, heirlooms, diplomas, etc.
 - m. Household items
 - 1) Quality items replaced with junk
 - 2) Appliances replaced with non-working (are they plugged in or connected?)
 - n. Business equipment and/or inventory
 - 1) Old or obsolete
 - 2) Does it appear to currently be in use
 - o. Business records
 - 1) Open and exposed to fire
 - 2) Not in normal place
 - 3) Missing
- V. Identify the firefighter's responsibility, after a fire, in relation to cause and determination. **2-20.5 (3-3.7, 3-3.12)**
- A. Protect evidence at the scene
 - 1. Perform salvage and overhaul carefully, especially around area of origin
 - 2. Delay thorough salvage and overhaul until point of origin and cause have been determined

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3. Report all facts to officer in charge as soon as possible
 - a. Officer in charge should maintain a chronologically written report
- VI. Identify the firefighter's role in obtaining statements at the fire scene. **2-20.6 (4-3.4)**
- A. Obtain all information possible pertaining to fire
 1. Allow owners and occupants of property to talk freely
 2. Do not attempt to interrogate a potential arson suspect
 - a. Call a trained investigator to conduct the interview
 - B. Report all information to officer in charge or investigator.
 1. Never make statements of accusation, personal opinion or probable cause
 2. If investigator on site, personnel should make statements only to him/her.
 3. Public statements are made only after investigator and ranking fire officer have agreed to accuracy and given permission for release.
- VII. Identify the procedures for securing a fire scene. **2-20.7 (3-3.13, 4-3.4)**
- A. Premises must be properly secured and guarded by fire department until investigator authorizes its release.
 1. All evidence collected should be marked, tagged and photographed as collected.
 2. Fire department has authority to bar access to premises during fire fighting operations and for a reasonable time after suppression has been terminated.
 - a. Fire department authority ends when last member of department leaves the premises.
 3. Fire personnel should not allow anyone to enter the scene without the investigator's permission and only with authorized escort.
 - a. Should be documented in chronological written log.
 - b. A description of any items removed from the scene should be documented

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4. Premises should be cordoned off and guarded
- VIII. Identify the legal considerations, at the fire scene, in relation to cause and determination. **2-20.8 (4-3.4)**
- A. Two statements relevant based on Michigan vs. Taylor by US Supreme Court:
 1. "Once in a building (to extinguish a fire), firefighters may seize (without a warrant) evidence of arson that is in plain view..... (and) officials need no warrant to remain in a building for a reasonable time to investigate the cause of the blaze after it has been extinguished."
 2. "If there has been a fire, the blaze extinguished and the firefighters have left the premises, a warrant is required to re-enter and search the premises, unless there is consent..."
 - B. If there is incendiary evidence, the department should leave at least one person on the premises until an investigator arrives.
 - C. Local Authority Having Jurisdiction should write a standard operating procedure concerning these opinions.
- IX. Identify the procedures for protecting and preserving evidence. **2-20.9 (3-3.1, 4-3.4)**
- A. Firefighters should protect evidence, untouched and undisturbed if at all possible, until an investigator arrives.
 - B. If evidence is handled or procured, the firefighter must accurately document all actions as soon as possible, to maintain the chain of evidence.
 - C. Changes to evidence should be permitted only if absolutely necessary to extinguish the fire.
 - D. After investigator has collected evidence, careful overhaul of debris may begin, taking notice of any possible further evidence.